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10/082,745	02/21/2002	David Raymond Posh	AUS920010933US1	5306

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Leslie A. Van Leeuwen  
IBM, Corp., Intellectual Property Law Dept.  
Internal Zip 4054  
11400 Burnet Road  
Austin, TX 78758

EXAMINER
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NGUYEN, MAIKHANH

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2176

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/082,745  
Filing Date: February 21, 2002  
Appellant(s): POSH ET AL.

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J. B. Kraft  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 2/22/2008 appealing from the Office action mailed 5/30/2007.

**1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or having a bearing on the decision in the pending appeal is contained in the brief.

**(3) Status of Claims**

The statement of the status of the claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of invention contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection is correct.

**(7) Claims Appendix**

The copy of the appeal claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

The following is the evidence relied upon in the rejection of claims under appeal:

- |   |            |              |              |
|---|------------|--------------|--------------|
| - | Liu et al. | U.S. 5706449 | Jan. 6, 1998 |
| - | Higashio   | U.S. 5900869 | May 4, 1999  |

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9-15, and 17-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu et al. (U.S. 5706449, issued 01/06/1998).

**As to claim 9:**

Liu teaches a method of user-interactive document editing on a display [col. 2, lines 54-56 → a graphical user interface controls ...manipulate lists of heterogeneous objects] comprising:

- defining of a first alphanumeric segment of displayed data in a displayed text document having continuous line of text [col. 7, lines 10-40 and Figs. 17-19 and associated text → the column whose heading was clicked ...the user then select the desired column and highlights the heading of the column];
- defining a second alphanumeric segment of displayed data in the displayed text document [col. 7, lines 10-40 and Figs. 17-19 and associated text → the column whose heading was clicked ...the user then select the desired column and highlights the heading of the column];
- enabling a user to select to directly swap the first segment with the second segment [col. 7, lines 10-17 → swaps the two columns]; and
- swapping the positions of the segments of data with each other in a single step independently of separately identifying a new location for each of the one and other segments other than defining each segment responsive to a

user selection to swap [col. 7, lines 10-40 → enables the user to swap columns in the list control 46. In order to swap columns, the user selects "Swap" in the pop-up 64. The list control 46 then displays a list of columns with which the column whose heading was clicked can be swapped. The user then selects the desired column. After receiving the user's selection, the list control 46 swaps the two columns].

**As to claim 10:**

Liu teaches highlighting the first and second segments prior to swapping the positions of the segments [col.7, lines 10-17 → clicking the heading of a column and selecting the desired column].

**As to claim 12:**

Liu teaches the alphanumeric text in each of the swapped segment is a phrase [col.3, lines 27-35 → text in columns, which each of columns could be interpreted as a phrase].

**As to claim 13:**

Liu teaches the alphanumeric text in each of the swapped segments is a sentence [col.3, lines 27-35 → text in columns to be swapped, which could be interpreted as a sentence].

**As to claim 14:**

Liu teaches the alphanumeric text in each of the swapped segments is a paragraph [col.3, lines 27-35 → text in columns to be swapped, which could be interpreted as a sentence].

**As to claim 15:**

Liu teaches the alphanumeric text in each of the swapped segments is at least one page in length [col.3, lines 27-35 → text in columns to be swapped, which could be interpreted as a page in length].

**As to claims 1-2 and 4-7:**

Note the rejection of claims 9-10 and 12-15 above. Claims 1-2 and 4-7 are the same as claims 9-10 and 12-15, except claims 1-2 and 4-7 are system claims and claims 9-10 and 12-15 are method claims.

**As to claims 17-18 and 20-23:**

Note the rejection of claims 9-10 and 12-15 above. Claims 17-18 and 20-23 are the same as claims 9-10 and 12-15, except claims 17-18 and 20-23 are computer readable medium claims and claims 1-9 are method claims.

Claims 8, 16, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Liu** in view of **Higashio** (US 5900869, issued 05/04/1999).

**As to claims 8, 16 and 24:**

Higashio teaches swapping images (*col.3, lines 43-67 and fig.1*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Liu with Higashio with because it would have provided a control that enables a user to manipulate lists in the control, in particular, lists containing heterogenous objects. The list operations that can be performed using the list control include: (1) swapping columns, (2) freezing and unfreezing columns, (3) hiding and showing columns, and (4) finding text in columns. The swap operation enables the user to swap columns in the list control.

**(10) Response to Arguments**

Beginning on page 7 of the brief, Appellant argues the following issues, which are accordingly addressed below.



Appellant argues in substance that Liu does not teach swapping two segments of alphanumeric text in a displayed text document having continuous lines of text [page 7].

The examiner disagrees.

Liu does teach swapping two segments of alphanumeric text in a displayed text document having continuous lines of text “[T]he swap operation enables the user to swap columns in the list control 46. In order to swap columns, the user selects “Swap” in the pop-up 64. The list control 46 then displays a list of columns with which the column whose heading was clicked can be swapped. The user then selects the desired column. After receiving the user’s selection, the list control 46 swaps the two columns. FIG. 16 shows the window 44 after columns 56 and 58 have been swapped” [see col.7, lines 10-17]. Any column (48, 50, 52, 54, 56, and 58) showing on FIG. 14 could be selected as a user’s desired column. Obviously, Liu’s system could allow the user to select column 50 (first segment of alphanumeric text) and column 54 (second segment of alphanumeric text) to be swapped.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Maikhanh Nguyen/  
Examiner, Art Unit 2176

Conferees:

Doug Hutton (SPE, AU 2176)

*/Doug Hutton/*  
Doug Hutton  
Supervisory Primary Examiner  
Technology Center 2100

*/Rachna S Desai/*  
Primary Examiner, Art Unit 2176  
Rachna Singh (Primary Examiner, AU 2176)